

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ARIBA, INC.,

Plaintiff,

v.

SKY TECHNOLOGIES LLC,

Defendant.

Case No. 05 CA 11883-WGY

AFFIDAVIT

I, Judith B. Ercolini, state as follows:

1. I am a Legal Specialist with the law firm of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.

2. Attorney H. Joseph Hameline also with the law firm of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. is counsel of record for the plaintiff, Ariba, Inc.

3. At the direction of Mr. Hameline, on October 5, 2005, I mailed copies of the following:

Summons in a Civil Action
Complaint for Declaratory Relief
Civil Action Cover Sheet

Category Sheet
Corporate Disclosure Statement
Report on the Filing or Determination of an
Action Regarding a Patent or Trademark

to "Sky Technologies LLC c/o Jeffrey M. Conklin at 41 Rutland Square, Boston, MA 02118 via the United States Postal Service First Class Mail.

4. Attached as Exhibit A is a copy of the cover letter which accompanied the mailing referenced by paragraph 3, above.

Signed under the pains and penalties of perjury this eighteenth day of October, 2005.

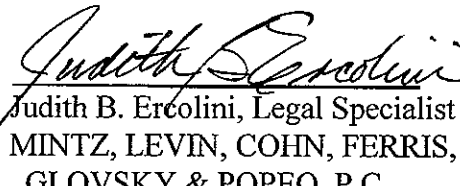

Judith B. Ercolini, Legal Specialist
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY & POPEO, P.C.
One Financial Center
Boston, MA 02111
Telephone: 617-542-6000

EXHIBIT A

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

One Financial Center
Boston, Massachusetts 02111

Judith B. Ercolini
Legal Specialist

Direct dial 617.348.4953
jbercolini@mintz.com

617 542 6000
617 542 2241 fax

October 5, 2005

VIA U.S. FIRST CLASS MAIL


Sky Technologies LLC
c/o Jeffrey M. Conklin
41 Rutland Square
Boston, MA 02118

Re: ARIBA, Inc. v. Sky Technologies LLC; USDC-MA 05CA11883

Dear Mr. Conklin:

Enclosed please find copies of the Summons in a Civil Action, Complaint for Declaratory Relief, Civil Action Cover Sheet, Category Sheet, Corporate Disclosure Statement and Report on the Filing or Determination of an Action Regarding a Patent or Trademark forwarded to your attention as named Resident Agent and Manager of Sky Technologies with the Secretary of the Commonwealth's Corporations Division.

Sincerely,


Judith B. Ercolini
Legal Specialist

Enclosures

cc: Elizabeth Pehrson, Esq. (via email)
H. Joseph Hameline, Esq.
Geri L. Haight, Esq.
(without enclosures)

LIT 1544532v1